

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NEW YORK

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In re:		: Chapter 11
		:
ORION HEALTHCORP, INC <sup>1</sup> .		: Case No. 18-71748 (AST)
		:
Debtors.		: (Jointly Administered)
-----		:
HOWARD M. EHRENBERG IN HIS CAPACITY		:
AS LIQUIDATING TRUSTEE OF ORION		: Adv. Pro. No. 20-08052 (AST)
HEALTHCORP, INC., ET AL.,		:
		:
Plaintiff,		:
		:
v.		:
		:
ABRUZZI INVESTMENTS, L.L.C.; JOHN		:
PETROZZA,		:
		:
Defendants.		:
-----		:

**AFFIDAVIT OF JEFFREY P. NOLAN  
IN SUPPORT OF PLAINTIFF'S REPLY TO DEFENDANT'S  
OPPOSITION TO MOTION FOR SUMMARY JUDGMENT OR  
IN THE ALTERNATIVE, SUMMARY ADJUDICATION**

STATE OF CALIFORNIA            )  
  )       ss.:  
COUNTY OF LOS ANGELES    )

<sup>1</sup> The Debtors in these chapter 11 cases, along with the last four digits of each Debtor's federal tax identification number, are: Orion Healthcorp, Inc. (7246); Constellation Healthcare Technologies, Inc. (0135); NEMS Acquisition, LLC (7378); Northeast Medical Solutions, LLC (2703); NEMS West Virginia, LLC (unknown); Physicians Practice Plus Holdings, LLC (6100); Physicians Practice Plus, LLC (4122); Medical Billing Services, Inc. (2971); Rand Medical Billing, Inc. (7887); RMI Physician Services Corporation (7239); Western Skies Practice Management, Inc. (1904); Integrated Physician Solutions, Inc. (0543); NYNM Acquisition, LLC (unknown) Northstar FHA, LLC (unknown); Northstar First Health, LLC (unknown); Vachette Business Services, Ltd. (4672); Phoenix Health, LLC (0856); MDRX Medical Billing, LLC (5410); VEGA Medical Professionals, LLC (1055); Allegiance Consulting Associates, LLC (7291); Allegiance Billing & Consulting, LLC (7141); New York Network Management, LLC (7168). The corporate headquarters and the mailing address for the Debtors listed above is 1715 Route 35 North, Suite 303, Middletown, NJ 07748.

JEFFREY P. NOLAN, being duly sworn, deposes and says:

1. I am an attorney at law duly licensed to practice before all courts in the State of California. I am an attorney with the law firm of Pachulski Stang Ziehl & Jones LLP, attorneys of record for Plaintiff, Howard M. Ehrenberg in his capacity as Liquidating Trustee of Orion Healthcorp, Inc., et al., for the estates of the above-captioned debtors, counsel of record in this adversary proceeding. The facts stated herein are of my own personal knowledge, or made known to me from a review of the files and pleadings in this action which are maintained in the regular course of business. If called upon as a witness to any facts set forth herein, I could and would competently testify thereto.

2. I make this Affidavit in support of the accompanying Reply to Defendant's Opposition to Motion for Summary Judgment or in the Alternative, Summary Adjudication.

3. Attached hereto as **Exhibit 1** are true and correct copies of documents duly subpoenaed in the adversary and produced by the Custodian of Records for M&T Bank with respect to the bank records of Sunshine Star. These records are maintained in their regular course in the litigation file of this firm.

4. Attached hereto as **Exhibit 2** are true and correct copies of the relevant pages and pertinent exhibits from the deposition transcript of the Deposition of John Petrozza.

5. On May 25, 2017, the bank statement for the checking account of Abruzzi Investments, LLC, as marked Exhibit 22 from the Deposition of John Petrozza and as duly subpoenaed, memorializes receipt of \$250,000 wire from the Robinson Brog Lenwand IOLA account and **which is included within Exhibit 2 hereto**. The first eight digits of the checking

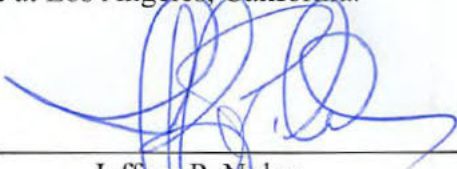
account have been redacted for the sake of financial privacy but otherwise is a true and correct copy.

6. Though it is reflected as Joint Stipulated Fact #14 within Docket No. 38, attached hereto is a true and correct copy of Exhibit 6 to the Deposition of John Petrozza, the Unanimous Written Consent of All the Managers of Constellation Health, LLC., as dated November 2016, and signed by the Defendant John Petrozza, **which is included within Exhibit 2 hereto.**

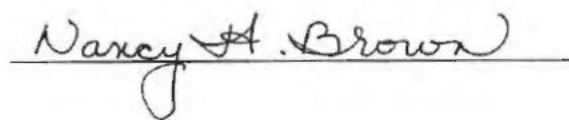
7. Attached hereto is **Exhibit 3**, is a true and correct copy of the State of Delaware, Secretary of State, corporate listing for Sunshine Star, LLC which was pulled up by the undersigned on an internet search on March 24, 2022 at 2:55 p.m. In addition, more detailed information is available at the stated for a fee of \$10. The attached document was free to access.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed this 29<sup>th</sup> day of March, 2022 at Los Angeles, California.

  
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Jeffrey P. Nolan

SWORN TO AND SUBSCRIBED before me this  
29<sup>th</sup> day of March, 2022

  
\_\_\_\_\_  
Nancy H. Brown

